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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,967	08/21/2003	David A. Matthews	003797.01880	7579

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EXAMINER	
TRAN, TUYETLIEN T	
ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
04/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/644,967	MATTHEWS ET AL.	
	Examiner	Art Unit	
	TUYETLIEN T. TRAN	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 9-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 12/20/07.

This action is made non-final.

2. Claims 1-7 and 9-36 are pending in the case. Claims 1, 14, 25 and 31 are independent claims.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/20/07 has been entered.

Response to Amendment

4. The Declaration and Exhibits filed on 12/20/07 under 37 CFR 1.131 is sufficient to overcome (http://web.archive.org/web/20030803040103/http://www.desktopsidebar.com/; Desktop Sidebar) reference.

Claim Rejections - 35 USC § 112

5. Applicant's amendment corrects the previous rejection; therefore the previous rejection is withdrawn.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-7, 10-19, 21-29 and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jobs et al (Pub No. US 2005/0149879 A1; hereinafter Jobs) in view of Santoro et al (Patent No. US 6724403 B1; hereinafter Santoro).

As to claim 1, Jobs teaches:

A method in a computing system for providing a user interaction scheme (e.g., see [0006] and Fig. 4) comprising:

minimizing an application upon receiving a minimize command (e.g., see [0029], [0030] and Fig. 4); and

revealing a tile in a sidebar to represent the minimized application in response to the minimize command (e.g., see Fig. 4) the sidebar configured to display a plurality of tiles corresponding to a plurality of applications (e.g., note the docking area having a plurality of tiles corresponding to a plurality of applications; further note that tiles represented for application windows 3, 5 are not included in the docking area because application windows 3, 5 are not in minimized states, see Fig. 7);

While Jobs teaches that the minimization of application windows can take a variety of forms such as reducing them in size, replacing them with representative symbol so that they occupy a minimal amount of space on the display screen (e.g., see [0006] and [0031]), Jobs does not expressly teach the tile includes one or more interactive application feature of the minimized application.

Santoro teaches a system and method for simultaneous display of multiple information sources comprising a user interface including a plurality of tiles corresponding to a plurality of applications (e.g., email application, file browser application, web page viewer, see Fig. 1 and Fig. 7). With regard to claim 1, Santoro teaches the tiles include one or more interactive application of the corresponding application (e.g., see Fig. 1 and col. 9 lines 24-33; note that the tile as shown in Fig. 1 is reduced in size which is different from an application window in normal state, see col. 8 lines 29-41).

Accordingly, it would have been obvious to one skill in the art at the time the invention was made to used the feature of displaying tile with one or more interactive application as taught by Santoro to the method as taught by Jobs to achieve the claimed invention because Jobs suggests to the skilled artisan that the minimization of application windows can take a variety of forms such as reducing them in size and that the minimized representation can be any form of image or data that occupies a small area on the display and provides the user with some indication of the nature of the window it represents (e.g., see [0006] and [0031]). In addition, Jobs further suggests to the skill artisan that the sidebar (e.g., docking area) can be implemented on a user-positionable palette, or a menu (e.g., see [0032], [0033]). The motivation for the combination is to reduce clutter and confusion caused by multiple open windows (e.g., see Santoro col. 8 lines 45-49 and Jobs [0006]).

As to claim 14, this claim is rejected on grounds corresponding to the argument given above for rejected claim 1 and is similarly rejected including the following:

Jobs teaches displaying, without user interaction other than the user command, a tile representing the minimized application (e.g., see [0029], [0030] and Figs. 4, 7). Jobs does not expressly teach the tile include at least a sub-set of interactive features belonging to the minimized application. However, Santoro teaches this limitation in Fig. 1 and col. 8 lines 29-41. Therefore, combining Santoro and Jobs would meet the claimed limitations for the same reasons as set forth above in claim 1.

In regard to claim 25, claim 25 reflects the system comprising a processor for performing the steps as claimed in claim 1, and is rejected along the same rationale (e.g., see Jobs Fig. 1).

In regard to claim 31, claim 31 reflects the system comprising a processor for performing the steps as claimed in claim 14, and is rejected along the same rationale (e.g., see Jobs Fig. 1).

As to claim 2, Santoro further teaches wherein the one or more interactive application features include a sub-set of the original application features (e.g., see Figs. 1, 5 and col. 8 lines 29-41). Thus, combining Santoro and Jobs would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claim 3, Santoro further teaches wherein the one or more interactive application features include all of the original application features (e.g., see Fig. 1, col. 9 lines 24-33). Thus, combining Santoro and Jobs would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claims 4 and 15, Jobs teaches providing, in the tile, access to additional features not available in the application (e.g., see [0034]). Santoro further teaches providing, in the tile, access to additional features not available in the application (e.g., see col. 9 lines 57-67 through col. 10 lines 1-22). Thus, combining Santoro and Jobs would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claims 5 and 17, Jobs teaches further comprising hiding an application window upon receiving the minimize command (e.g., see Fig. 1 and [0006]).

As to claims 6, 7 and 18, 19, 29, 35, Jobs further suggests to the skilled artisan that the docking area which manages the positions of the minimized representations (e.g., see [0032]-[0034]; note that the docking area displays tiles corresponding to minimized applications). As well-known in the art that the taskbar is used to identify windows which are active including both those which are maximized and minimized (e.g., see evidently support in Ording et al., Pub. No US 20070288860, [0016]). Jobs does not expressly teach hiding a taskbar application button or an alt-tab entry associated with the application upon receiving the minimize command. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation in view of Jobs because the user can now access to the minimized application using docking area; therefore, hiding the taskbar application button associated with the minimized application would save memory and thus speed up processing time.

As to claims 10, 21, 26 and 33, Jobs teaches comprising providing the user with a restore button accessible through the tile to allow the user to maximize the application (e.g., see [0027]).

As to claims 11, 22 and 27, Santoro teaches providing an available features selection module for allowing selection of the one or more interactive features for display in and accessibility through the tile (e.g., see Figs. 1, 7). Thus, combining Santoro and Jobs would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claims 12 and 23, Santoro teaches allowing a user to determine a size of the tile (e.g., see col. 11 lines 9-14). Thus, combining Santoro and Jobs would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

In regard to claim 13, claim 13 reflects a computer storage medium for performing the steps as claimed in claim 1, and is rejected along the same rationale (e.g., see Jobs Fig. 1).

As to claim 16, Jobs teaches inserting a tile in the sidebar for providing access to the application (e.g., see Fig. 5).

As to claims 28 and 34, Jobs teaches special controls for allowing removal of the application from the sidebar (e.g., see [0006] and Fig. 5).

As to claim 32, Jobs further teaches revealing a tile in a sidebar configured to host the tile within the user interface, wherein the sidebar includes a plurality of tiles corresponding to a plurality of applications (e.g., note the docking area having a plurality of tiles corresponding to a plurality of applications; further note that tiles represented for application windows 3, 5 are not included in the docking area because application windows 3, 5 are not in minimized states, see Fig. 7).

In regard to claim 24, claim 24 reflects a computer storage medium for performing the steps as claimed in claim 12, and is rejected along the same rationale (e.g., see Jobs Fig. 1).

8. Claims 9, 20, 30, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jobs in view of Santoro as applied to claims 2, 16, 25, and 31 and further in view of Straub et al (Patent No US 6216141 B1; hereinafter Straub).

As to claims 9, 20, 30, and 36, Jobs and Santoro teach the limitations of claims 2, 16, 25 and 31 for the same reasons set forth above. Jobs and Santoro do not expressly teach access to the sub-set of application features through a fly-out menu accessible through the tile / displayed in the tile.

Straub teaches a sidebar having a plurality of tiles for displaying a plurality of interactive data sources (e.g., items 156, 158, 160 in a channel bar 144 as shown in Fig. 5). Particularly, Straub teaches access to a sub-set of application features through a fly-out menu accessible through the tile / displayed in the tile (e.g., see Figs. 5, 6 and col. 9 lines 7-54). Accordingly, it would have been obvious to one skill in the art at the time the invention was made to include the feature of the fly-out menu as taught by Straub to the method as taught by Jobs and Santoro to achieve the claimed invention. The motivation for the combination is to allow the user to access to additional information relating to the selected tile (e.g., see Figs. 5, 6).

Response to Arguments

9. Applicant's arguments with respect to claims 1-7 and 9-36 filed on 12/20/07 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TuyetLien T Tran/
3/18/2008

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179